GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

MA&UD Dept. - PUBLIC SERVANTS – Allegation of corruption and certain irregularities committed in construction of latrines under ILCS Scheme in Tenali Municipality – Punishment imposed against Sri E. Sudhakara Rao, former Dy. Executive Engineer Tenali Municipality – Modified - Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT(VIG.I)DEPARTMENT

G.O.Rt.No.125 Dated: 16-03-2016

Read the following:-

1. G.O.Rt.No.431, M.A. & U.D. (VIG.IV.1) Dept., dt: 12-04-2006.
2. Representation of Sri E. Sudhakara Rao, former Dy. Executive Engineer Tenali Municipality, dt: 11-09-2006.
3. G.O.Rt.No.1394, M.A. & U.D. (VIG.IV.1) Dept., dt: 6-12-2006.
4. From Smt. Chandana Khan, IAS, COI & Inquiry Authority, D.O.Lr. No.618/COI-CK/A3/2008-7, dated: 12-062009.
5. Govt. Memo No.2239/Vig.IV.I/2001-16, dt: 28-07-2009.
6. Explanation of Sri E. Sudhakara Rao, former Dy. Executive Engineer Tenali Municipality, dated: 24-09-2009
7. Govt. Letter No.2239/(VIG.IV.1)/2001 dt: 19-11-2011
8. From the Secretary, A.P. Public Service Commission, Hyderabad Letter No.1817/RT-1/3/2011 dt: 09-12-2011
9. G.O.Rt.No.28, MA&UD (VIG.IV) Dept. dt. 07.01.2012
10. Hon'ble APAT in its orders dt.04.09.2012 in OA.No.1436 of 2012
11. Hon'ble High Court of AP Orders in W.P.No.8021/2013, dt: 19.03.2013
12. Hon'ble Supreme Court orders dt:08.07.2015 in SLP No.CC10771/2015 filed by Government of A.P.,
13. Representation of Sri E.Sudhakara Rao, Executive Engineer

& & &

O R D E R:-

In the reference 9th read above, Government have imposed a penalty of stoppage of one annual grade increment with cumulative effect against Sri E.Sudhakara Rao, former Dy. Executive Engineer Tenali Municipality, besides recovery of Rs. 50,121/- towards the loss caused to Government as his proportionate share after concluding the disciplinary proceedings pending against him.

2. The said punishment order was challenged by Sri E.Sudhakara Rao, Deputy Executive Engineer by filing OA.No.1436 of 2012 before the Hon'ble AP Administrative Tribunal. In the reference 10th read above, the Hon'ble Tribunal has set aside the said punishment order on the ground of delay in conducting the disciplinary enquiry and directed the applicant to pay an amount of Rs.50,121/- to the Tenali Municipality. The order is as follows:

> "Thus, in view of the same, the present O.A is allowed. The impugned proceedings issued in G.O.Rt.No.28, MA&UD(VIG.IV-1) Department dated: 07.01.2012 of the Govt. are set aside. Further, the applicant shall pay an amount of Rs.50,121/- to the Tenali Municipality, being his share towards recovery in non-completion of Latrines under ILCS, within a period of six weeks from the date of receipt of a copy of this order. In view of orders granted in O.A., no orders are necessary in MA and it is closed. VMA stands disposed of."

(PTO)

3. Government have filed W.P.No.8021/2013 against the order dated 4.9.2012 in O.A.No.1436 before the Hon'ble High Court of Andhra Pradesh and the Hon'ble AP High Court have been pleased in its orders dated 19.03.2013 to dismiss the W.P No.8021/2013 vide reference 11th read above.

4. Government have filed SLP before Hon'ble Supreme Court against the Hon'ble AP High Court Orders and in the reference 12th read above, Hon'ble Supreme Court in its orders dated 08.07.2015 have dismissed the SLP No.CC10771/2015 filed by Government of A.P.

5. In the reference 13th read above, Sri E.Sudhakara Rao, Executive Engineer has requested the Government to exoneration from the major punishment of stoppage of one (1) annual grade increment with cumulative effect besides recovery of Rs. 50,121/- orders issued against him vide G.O.Rt.No.28 dt: 07.01.2012.

6. Government, after careful examination of the matter hereby modify the G.O.9th read above, imposing penalty of stoppage of one (1) annual grade increment with cumulative effect and recovery of Rs. 50,121/- from Sri E.Sudhakara Rao, Executive Engineer to that of only recovery of an amount of Rs. 50,121/- being his share towards recovery in non-completion of Latrines under ILCS, as per orders of Hon'ble APAT in OA No.1436/2012 read with Hon'ble High Court orders in W.P.No.8021/2013 and Hon'ble Supreme Court orders in SLP No.CC10771/2015.

7. The Engineer –in- Chief (Public Health), Hyderabad shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri E. Sudhakara Rao, former Dy. Executive Engineer, (Public Health).
through the Engineer –in- Chief (Public Health),AP, Hyderabad.
The Engineer –in- Chief (Public Health), AP, Hyderabad.
Copy to:
The Director of Municipal Administration, Hyderabad.
The Commissioner, Tenali Municipality.
The Director General, Anti Corruption Bureau, Hyderabad.
The Secretary, A.P. Vigilance Commission, Hyderabad.
The Secretary A.P. Public Service Commission, Hyderabad.
The Private Secretary to Minister (Municipal Administration),
SF/SCs.

//FORWARDED BY ORDER//

SECTION OFFICER